

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2724 OF 2025
IN
CRIMINAL APPEAL NO.762 OF 2025**

Arun Jalinder Gavade	...Applicant
Versus	
The State Of Maharashtra and Anr.	...Respondents

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Mr. Jaydeep D. Mane for the Applicant.
Mr. S. H. Yadav, APP for the Respondent-State.
Mr. Asim Sarode a/w Shriya Awale, Yogesh Sawant, Siddhi
Diwan & S. Mujawar for Respondent No. 2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th OCTOBER, 2025

P.C.:

1. By this application, the applicant is seeking suspension of sentence imposed on him.
2. It is contention of learned counsel for the applicant that the applicant has been convicted by learned Additional Sessions Judge Solapur, under Section 304(II) of the Indian Penal Code, 1860 and sentenced to suffer rigorous imprisonment for 5 years and directed to pay compensation of Rs. 50,000/-. He further submitted that the applicant is behind bar more than 3 years

and 10 months. It may take time to dispose of the appeal.

Hence, requested to allow the application.

3. It is the contention of learned APP along with respondent no. 2 that prosecution has proved the case against the applicant beyond doubt. Accordingly, applicant has been convicted. If the applicant released on bail he may abscond. Hence, requested to reject the application.

4. I have heard all learned counsel. Perused the impugned judgment and order.

5. The applicant is behind bar more than 3 years and 10 months out of 5 years sentence imposed on him. The applicant has undergone $\frac{3}{4}$ sentence imposed on him. It may take time to dispose of the appeal. Considering these facts, the applicant's sentence is suspended and he be enlarged on bail, till pending the hearing and final disposal the appeal, on the following terms and conditions.

ORDER

The applicant be enlarged on bail on furnishing

P. R. Bond in the sum of Rs.20,000/- with one

or two sureties in the like amount.

6. Interim Application is allowed in the aforesaid terms and disposed off.
7. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]